IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.191 of 2005

Between:

1 G. Nageshwaramma, W/o. G. Veerabhadrudu, Hindu,
Nanalapalle Village, Gospadu Mandal, Kurnool District.
2 D. Hussainamma, W/o. Late Balanna,
R/o. Nanalapalle Village, Gospadu Mandal, Kurnool District.

..... PETITIONERS

AND

1 The Mandal Revenue Officer, Gospad Mandal, Kurnool District.
2 The Joint Collector, Gospad Mandal, Kurnool District.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the inaction of the 2nd respondent herein in not passing any orders on the application dated 24.9.2004, filed by the petitioners herein, aggrieved against the proceedings of the 1st respondent in RCB 41/ 2004 dt. 29-08-2004, as highly illegal arbitrary and in violation of the observations of this Hon'ble Court in its orders dt. 16-9-2004 in W.P.No. 16608/2004.

Counsel for the Petitioners: MRS S. NANDA

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

The petitioners claim to be working as Mid-day Meal Agency of M.P.U.P. School, Kanalapalle Village, Gospad Mandal, Kurnool District since two years i.e., with effect from 02.01.2003. Since then they are implementing Mid-day Meal Programme without any complaint from the parents, children and also the school authorities. It is stated that the 1st respondent-Mandal Revenue Officer without issuing any notice or assigning any reasons has not allowed the petitioners from preparing mid-day meal and appointed one Balamma and Bala Narasamma to run the Mid Day Meal Programme for Kanalapalle School from 01.09.2004 vide his proceedings Rc.B 41/2004, dated 29.08.2004. Against the said proceedings, the petitioners stated to have filed W.P.No.16608 of 2004 and this Court vide orders dated 16.09.2004 directed the petitioners to file an application before the Joint Collector and on filing such application, the Joint Collector shall consider the same and pass appropriate orders in accordance with law within a period of three weeks. The grievance of the petitioners is that in pursuance of the orders in W.P.No.16608 of 2004, dated 16.09.2004, they filed an application dated 24.09.2004 through their counsel before the 2nd respondent-Joint Collector, but the 2nd respondent-Joint Collector did not take any steps so far. Hence, the present writ petition.

Heard the learned counsel for petitioners and learned Government Pleader for Revenue. Both the counsel agreed to dispose of the writ petition at the admission stage.

In earlier round of litigation in Writ Petition No.16608 of 2004 this Court vide orders

dated 16.09.2004 passed the following orders;

> "Under the guidelines issued in G.O.Ms.No.94, dated 25.11.2003, the petitioners can approach the Joint Collector, who is the monitoring authority for processing the selection of Implementing Agencies in the entire district. In view of the same, the petitioners are at liberty to file an application before the Joint Collector. On such application is being filed, the Joint Collector is directed to consider the same and pass appropriate orders in accordance with law within a period of three weeks from the date of filing of such application and communicate the same to the petitioners."

Admittedly, the application filed by the petitioners dated 24.09.2004 pursuant to above directions of this Court is pending consideration before the second respondent, hence I deem it appropriate to dispose of the writ petition with a direction to the

2nd respondent-Joint Collector to consider the said application of the petitioners and pass appropriate orders thereon, expeditiously, in accordance with the orders passed by this Court in W.P.No.16608 of 2004, dated 16.09.2004.

With the above direction the writ petition is disposed of at the admission stage. No costs.

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(N.V. RAMANA, J)

Date: 18.01.2005

Issue CC in two days

(B/O)

Nsr

To

1 The Mandal Revenue Officer, Gospad Mandal, Kurnool District.
2 The Joint Collector, Gospad Mandal, Kurnool District.

3 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

4 Two CD copies.